

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48200 of 2022**

Arising Out of PS. Case No.-783 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Ajay Kumar Singh S/O Late Subhash Singh Resident Of Village- Nawabganj
Phulwaria Milik, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munni Kumari D/o Suresh Singh Resident of Village- Nawabganj Phulwaria
Milik, P.S.- Korha, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 15-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case No. 783 of 2022 instituted for the offence
under Sections 354(B) of the Indian Penal Code.

The prosecution story is that when the informant was
alone at her house the petitioner along with co-accused persons
entered her house and started to commit rape. When she raised
alarm they fled away from her house.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner is cousin



of the victim and there is land dispute between the parties due to which he has falsely been made accused in this case. It is further submitted that learned Magistrate did not find any evidence of committing rape and therefore took cognizance under Section 354B of the Indian Penal Code.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 783 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Katihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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